



Gavin Newsom  
Governor

Jared Blumenfeld  
Secretary for Environmental Protection

Certified Mail: 7015 1660 0000 1619 0355

January 15, 2020

Ms. Carla Serio, Director  
Shasta County Department of Resource Management  
Environmental Health Division  
1855 Placer Street, Suite 201  
Redding, California 96001-1759

Dear Ms. Serio:

From September through November 2019, CalEPA and the state program agencies conducted a performance evaluation of the Shasta County Department of Resource Management Environmental Health Division Certified Unified Program Agency (CUPA). The evaluation comprised of an assessment of administrative documentation, regulated facility file documentation, and California Environmental Reporting System data.

Upon completion of the evaluation, CalEPA issued a preliminary Summary of Findings report identifying no program deficiencies and one incidental finding that was corrected during the evaluation. The Summary of Findings report also notes program observations, recommendations, and examples of outstanding implementation.

Enclosed, please find the final Summary of Findings report. Based upon review and completion of the evaluation, the implementation and performance of the Unified Program by the CUPA is considered to meet or exceed Unified Program standards. Congratulations on a well managed program.

I commend you and your team in the successful implementation of the Unified Program despite the numerous challenges in the past few years, including the recent response and recovery efforts of the disastrous and devastating Carr wildfire. The CUPA has managed to do an exemplary job of keeping up with a desirable Unified Program performance rating. Thank you for your continued commitment to the protection of public health and the environment through effective implementation of the Unified Program.

Ms. Carla Serio  
Page 2

If you have any questions or comments, please contact John Paine, Unified Program Manager, at (916) 327-5092.

Sincerely,

Original signed by Jason Boetzer

Jason Boetzer  
Acting Assistant Secretary  
Local Program Coordination and Emergency Response

cc sent via email:

Mr. Paul Hellman, Director  
Shasta County Department of Resource Management  
1855 Placer Street, Suite 201  
Redding, California 96001-1759

Mr. Jim Whittle  
CUPA Program Manager  
Shasta County Department of Resource Management  
Environmental Health Division  
1855 Placer Street, Suite 201  
Redding, California 96001-1759

Ms. Annalisa Kihara  
Supervising Water Resource Control Engineer  
State Water Resources Control Board  
P.O. Box 2231  
Sacramento, California 95812-2231

Ms. Laura Fisher  
Senior Environmental Scientist, Supervisor  
State Water Resources Control Board  
P.O. Box 2231  
Sacramento, California 95812-2231

Ms. Maria Soria  
Program Manager  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 210  
Berkeley, California 94710-2721

Ms. Carla Serio  
Page 3

cc sent via email:

Ms. Diana Peebler  
Senior Environmental Scientist, Supervisor  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 210  
Berkeley, California 94710-2721

Mr. James Hosler, Chief  
CAL FIRE - Office of the State Fire Marshal  
P.O. Box 944246  
Sacramento, California 94244-2460

Ms. Jennifer Lorenzo  
Senior Environmental Scientist (Supervisor)  
CAL FIRE - Office of the State Fire Marshal  
P.O. Box 944246  
Sacramento, California 94244-2460

Mr. Larry Collins, Chief  
California Office of Emergency Services  
3650 Schriever Avenue  
Mather, California 95655-4203

Mr. Jack Harrah  
Senior Emergency Services Coordinator  
California Office of Emergency Services  
3650 Schriever Avenue  
Mather, California 95655-4203

Mr. Glenn Warner  
Senior Environmental Scientist, Specialist  
CAL FIRE - Office of the State Fire Marshal  
P.O. Box 944246  
Sacramento, California 94244-2460

Mr. Matt McCarron  
Senior Environmental Scientist, Specialist  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 210  
Berkeley, California 94710-2721

Ms. Jessica Botsford  
Environmental Scientist  
State Water Resources Control Board  
P.O. Box 2231  
Sacramento, California 95812-2231

Ms. Carla Serio  
Page 4

cc sent via email:

Mr. John Paine  
Unified Program Manager  
California Environmental Protection Agency

Ms. Melinda Blum  
Senior Environmental Scientist, Supervisor  
California Environmental Protection Agency

Mr. Tim Brandt  
Unified Program Evaluation Team Lead  
California Environmental Protection Agency

**UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT**

**CUPA:** Shasta County Department of Resource Management Environmental Health Division

**Evaluation Period:** September - November 2019

**Evaluation Team Members:**

- **CalEPA Team Lead:** Tim Brandt, Marc Lorentzen
- **DTSC:** Matt McCarron
- **CalOES:** Jack Harrah
- **State Water Board:** Jessica Botsford
- **CAL FIRE – OSFM:** Glenn Warner

This Final Summary of Findings includes:

- Incidental findings requiring resolution
- Observations and recommendations
- Examples of outstanding program implementation

The findings contained within this evaluation report are considered final.

Based upon review and completion of the evaluation, the CUPA's Unified Program implementation and performance meets or exceeds Unified Program standards.

Questions or comments regarding this evaluation should be directed to Tim Brandt at [Timothy.Brandt@calepa.ca.gov](mailto:Timothy.Brandt@calepa.ca.gov).

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**

**UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT**

**INCIDENTAL FINDINGS REQUIRING RESOLUTION**

Incidental findings identify specific incidents or activities regarding implementation of the Unified Program. Though incidental findings do not rise to the level of program deficiencies or inadequate implementation of the Unified Program, the CUPA must complete the resolution(s) indicated as required by regulation or statute.

---

**1. INCIDENTAL FINDING: CORRECTED DURING EVALUATION**

The Inspection and Enforcement (I&E) Plan is missing the following required component:

- An inspection frequency for Permit By Rule (PBR), Conditionally Authorized (CA), and Conditionally Exempt (CE) facilities that indicates the initial inspection will occur within two years of notification and every three years thereafter.

**CITATION:**

California Code of Regulations (CCR), Title 27, Sections 15200(a), (a)(13), and (a)(14)  
[CalEPA, DTSC]

UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

**OBSERVATIONS AND RECOMMENDATIONS**

Observations and recommendations identify areas of Unified Program implementation that could be improved and provide suggestions for improvement. Though the CUPA is not required by regulation or statute to apply the recommendations provided, the CUPA would benefit in applying the recommendations provided to improve the overall implementation of the Unified Program.

---

**1. OBSERVATION:**

Review of the I&E Plan finds it contains the following Aboveground Petroleum Storage Act (APSA) program information that is inaccurate or may benefit from improvement:

- Page 2: In the Frequency of Inspection table, it is most accurate to cite Health and Safety Code (HSC), Section 25270.5(a) when referencing the APSA mandated inspections of facilities storing 10,000 gallons or more of petroleum. Additionally, if an alternative inspection plan is implemented (for example, inspecting all APSA facilities triennially), then it is appropriate to also reference HSC, Section 25270.5(b).
- Page 24: The reference to HSC, Section 25270.5 in section B is incorrect. A Unified Program Agency is required to implement and enforce the APSA program as described in HSC, Division 20, Chapter 6.67 (commencing with Section 25270). Administrative penalties related to enforcement are referenced in HSC, Section 25270.12.1.
- There are multiple instances of referral to the APSA program as AST, SPCC or Aboveground Storage, as observed on pages 1, 6, 11, 33 and the Table of Contents page ii.

**RECOMMENDATION:**

The CUPA should update the APSA program information in the I&E Plan.

---

**2. OBSERVATION:**

The CUPA's webpage:

[https://www.co.shasta.ca.us/index/drm\\_index/eh\\_index/ehd\\_programs/cupa/Aboveground\\_storage.aspx](https://www.co.shasta.ca.us/index/drm_index/eh_index/ehd_programs/cupa/Aboveground_storage.aspx) contains various resources and information for the regulated community and public; however, some information is outdated or inaccurate as follows:

- The "APSA/SPCC Plan" section of the "Hazardous Materials Program" webpage contains an outdated link to California HSC, Section 25270. The existing link retrieves a 2013 version of statute, rather than the most current version.
- Page 24 of the "Shasta County Master Fee List" (accessed from the "Resource Management/Fees" webpage) is constructed based on petroleum storage volumes. However, the list utilizes the Federal Spill Prevention Control and Countermeasure (SPCC) rule terminology of 'qualified facility' by using Qualified Tier I, Qualified Tier II, etc., which are based on total oil storage volumes rather than petroleum storage volumes. This may lead to confusion regarding SPCC Plan requirements at APSA regulated facilities and use of the appropriate APSA checklist during inspections by CUPA inspectors.

UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT

**OBSERVATIONS AND RECOMMENDATIONS**

For example, a facility storing over 10,000 gallons of SPCC regulated oils that included 5,000 gallons of petroleum would be classified per the “Master Fee List” as “APSA Qualified Tier I,” yet the facility is required by APSA and the SPCC rule to prepare a Professional Engineer (PE)-certified SPCC Plan, since it is not a qualified facility per the SPCC rule. In contrast, a facility storing 10,000 gallons of petroleum (with no other SPCC regulated oils) would be classified per the “Master Fee List” as “APSA Qualified Tier I,” is considered a qualified facility by the SPCC rule, and is not required to prepare a PE-certified SPCC Plan, but can self-certify utilizing the Tier I Qualified Facility SPCC Plan template.

The “Master Fee List” does not identify the fees to be paid for APSA regulated tank facilities storing less than 1,320 gallons of petroleum and has one or more tanks in underground areas (TIUGA) storing petroleum. It also does not identify the fees to be paid for conditionally exempt APSA regulated tank facilities, with a cumulative petroleum storage capacity up to 100,000 gallons and no single storage tank at the location exceeds 20,000 gallons.

**RECOMMENDATION:**

The CUPA should update its website, and consider revising its “Master Fee List” to better reflect current APSA program information.

---

**3. OBSERVATION:**

The CUPA regulates some farms under APSA. Effective January 1, 2016, Senate Bill (SB) 612 aligned the applicability APSA Program threshold for farms with that of the Federal SPCC rule, which has increased to 2,500 gallons of oil or 6,000 gallons of oil (with no reportable discharge history) per the Federal Water Resources Reform and Development Act (WRRDA) of 2014.

**RECOMMENDATION:**

OSFM encourages the CUPA to review its list of conditionally exempt tank facilities at farms, verify if the total oil storage capacity meets the WRRDA thresholds, and determine if the facility should still be regulated as a conditionally exempt tank facility under APSA.

Farms that are no longer regulated under APSA due to SB 612 oil applicability thresholds should be identified in CERS as APSA “Not Applicable.” The CUPA is encouraged to change the CERS APSA facility reporting requirement from “Applicable” to “Not Applicable” for such farms.

---

**4. OBSERVATION:**

In the California Environmental Reporting System (CERS), the CUPA accepted an APSA submittal that contained a SPCC Plan for CERS ID 10617301.

SPCC Plans are not required as part of an APSA CERS submittal; therefore, SPCC Plans should not be uploaded by businesses to CERS.



**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**

**UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT**

**OBSERVATIONS AND RECOMMENDATIONS**

The APSA document upload section in CERS is for businesses to provide annual tank facility statement submittals, unless a business plan is already submitted, or other local reporting requirements.

**RECOMMENDATION:**

The CUPA should reject (not accept) CERS APSA submittals that include a SPCC Plan, and use the regulator comments field in CERS to advise the facility not to include SPCC Plans in CERS APSA submittals.

---

**5. OBSERVATION:**

Review of CERS indicates that the following UST systems may require permanent closure by December 31, 2025, in accordance with HSC, Chapter 6.7, Section 25292.05:

- CERS ID 10485352 (Tank IDs 2 - 4)
- CERS ID 10483114 (Tank IDs 1 - 4)
- CERS ID 10504210 (Tank IDs 1 - 4)

Note: The examples above may not include all UST systems subject to the December 31, 2025 Single Walled permanent closure requirements. The U.S. Environmental Protection Agency (U.S. EPA) and the State Water Board now fund two full-time contractors to specifically assist single-walled tank owners/operators. By encouraging UST owners/operators to remove and replace single-walled tanks and piping well in advance of California's December 2025 deadline, we hope to prevent contractor shortages, unmanageable permitting workloads and UST abandonment.

**RECOMMENDATION:**

Verbal reminders should continue to be provided to all applicable UST facility owners/operators regarding the December 31, 2025 requirements for permanent closure of single-walled USTs. Providing written notification of the requirements to all applicable UST facility owners/operators should also be considered. The written notification should inform facility owners/operators that, in order to remain in compliance, owners/operators must replace or remove single-walled USTs by December 31, 2025. Additional information about single-walled UST closure requirements may be found at: [http://waterboards.ca.gov/water\\_issues/programs/ust/single\\_walled/](http://waterboards.ca.gov/water_issues/programs/ust/single_walled/). Facility owners/operators should also be notified that Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program grants and loans are available to assist eligible small businesses with the costs necessary to remove, replace, or upgrade project tanks. More information on funding sources may be found at: [http://www.waterboards.ca.gov/water\\_issues/programs/ustcf/rust.shtml](http://www.waterboards.ca.gov/water_issues/programs/ustcf/rust.shtml).

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**

**UNIFIED PROGRAM PERFORMANCE EVALUATION  
FINAL SUMMARY OF FINDINGS REPORT**

**OBSERVATIONS AND RECOMMENDATIONS**

**6. OBSERVATION:**

Review of the CUPA's UST closure letter, which is provided to UST owners/operators, finds the language of the letter acceptable. The content of the letter indicates the CUPA is satisfied with UST closure activities at a given site which is in accordance with regulation requirements.

**RECOMMENDATION:**

The UST closure letter language should be revised to also include the following citations: HSC, Chapter 6.7, Section 25298(c) and CCR, Title 23, Chapter 16, Section 2672. The inclusion of these citations will strengthen the language regarding UST closure activities.

---

**7. OBSERVATION:**

Review of the CUPA's area plan finds it is overall an excellent document. The following areas are of minor concern:

- On page 4 of Part I, it is unclear what the citation of HSC, Section 25500 is intended to reference. HSC, Section 25500 is an introduction to Article 1 and really does not directly apply to the CUPA. If the intent of the reference is to specifically identify the authority of the CUPA to implement HSC, Chapter 6.95, then the appropriate citation would be HSC, Section 25502(a). If the intent of the reference is to identify what sections of law the CUPA has responsibility for, then a more appropriate citation would be HSC, Section 25500 et. seq.
- In several places throughout the document, the Office of the State Fire Marshal (OSFM) is referred to as the California State Fire Marshal (CSFM).

**RECOMMENDATION:**

With the next revision of the area plan, the CUPA should consider reviewing the intent of the reference to HSC, Section 25500 on page 4 of Part 1 and replacing it with a more appropriate citation if necessary. It is also recommended that the references to CSFM be replaced with OSFM.

**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**

**UNIFIED PROGRAM PERFORMANCE EVALUATION  
PRELIMINARY SUMMARY OF FINDINGS REPORT**

**EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION**

Examples of outstanding program implementation highlight efforts and activities of the CUPA that are considered above and beyond the standard expectations for implementation of the Unified Program.

---

**1. CERS HMBP Submittal Reminder Process**

The CUPA has implemented a proactive CERS review process that supports the regulated business community in maintaining compliance with the requirement to make annual CERS Hazardous Materials Business Plan (HMBP) submittals by the CUPA's March 1<sup>st</sup> deadline. The process starts with a reminder notice that is included with each facility's annual billing notice. In the April timeframe, CUPA staff monitor facility compliance, and provide a courtesy email reminder to non-compliant facilities. In the May timeframe, CUPA staff monitor facility compliance and provide additional reminders via email and postal letters to non-compliant facilities.

---

**2. APSA Program Participation**

The CUPA program manager is an active participant on the Northern Region CUPA Forum, is a member of the APSA Advisory Committee and Data Steering Committee, was the chairperson for several years of the APSA Technical Advisory Group, and has been instrumental in maintaining the accuracy of CUPA Forum Board inspection checklists relative to the numerous CERS Violation Library updates over the past several years. OSFM is appreciative of the extensive APSA program support provided by Shasta CUPA staff.

---

**3. Hazardous Waste Inspections**

The CUPA deserves to be commended for keeping up with many regular Unified Program implementation responsibilities, including preparing for the triennial CUPA Performance Evaluation, while managing additional efforts related to the response and recovery of the Carr wildfire incident. The Carr wildfire is one of the most destructive fires in California history, engulfing portions of Shasta and Trinity Counties in July through August of 2018, burning over 229,000 acres, destroying more than 1600 structures, damaging nearly 300 additional structures, and claiming eight lives. The CUPA staff spent many hours assisting in the response and debris removal activities resulting from the fire in association with many personnel from various agencies. In contracting for supplemental help in early 2019, the CUPA was able to meet 97% of the mandate inspection frequency, performing quality inspections and obtaining a 95% return to compliance rate for cited violations.

---

## CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

### UNIFIED PROGRAM PERFORMANCE EVALUATION PRELIMINARY SUMMARY OF FINDINGS REPORT

#### EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

##### **4. Program Implementation**

Despite numerous challenges in the past few years, including the recent disastrous and devastating Carr wildfire, the CUPA has managed to do an exemplary job of keeping up with Business Plan and California Accidental Release Prevention (CalARP) program implementation requirements. The inspection frequency for the past three years is over 90% for both programs. Additionally, 98% of Business Plan inventory submittals are current, and 96% of the emergency planning programs and training programs are compliant.

---

##### **5. Website**

In addition to providing public access to the area plan, the CUPA's website also provides the regulated community with substantial guidance in meeting the requirements of HSC, Chapter 6.95 programs. Included on the website are a CERS user guide and quick-start guide, forms for completing a chemical inventory, examples of the emergency response plan and training plan submittals, an excellent sample of a site map, a copy of the CalARP regulations accompanied by a sample CalARP registration form and a seismic walk-down check sheet.

---

##### **6. Area Plan**

The CUPA's area plan is, quite simply, excellent. It is well organized and clearly written. It far exceeds the usual "basic Incident Command System manual" format of many other CUPA area plans. It covers all elements required by Title 19, and much more. It contains complete documentation of the history and operations of the Shasta Cascade Hazardous Materials Response Team (SCHMRT). The county map in the front of the area plan document is rather simplistic, but it clearly shows the locations of the cities and towns, the major waterways and transportation corridors. All in all, it is truly an outstanding document.